

**ORDER**

2150.3A

INCORPORATED CHANGES  
1 THRU 28  
REPRINTED 7/99

COMPLIANCE AND ENFORCEMENT PROGRAM



DECEMBER 14, 1988

**DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

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**Distribution:** A-W-1; A-W(AT/PS/SM)-2; A-W(PP/AS/AM/SF/GC/FS/IA/VS)-3; A-XYZ-1; A-Z(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3; A-Z(AM/AN/GC)-3; A-FAS/FAC/FSS/FCS-0(ALL); A-FAF/FAT/FIA-0(LTD): ZFS-325

**Initiated By:** AGC-300

## RECORD OF CHANGES

**DIRECTIVE NO.**

2150.3A

[illegible]

**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 28

6/16/99


SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

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1. PURPOSE. This change transmits revised pages to Chapter 2, Compliance and Enforcement Policy and Objectives.
2. EXPLANATION OF CHANGES. This change revises paragraph 203c. This change:
  - a. Transmits the agency's policy and guidance for prioritization of enforcement cases. The proposed change calls for each program office to identify its priority cases annually, review those with other program offices and the Office of the Chief Counsel, and communicate them to the field offices.
  - b. Provides for periodic reviews by regional personnel to determine whether the priority cases are being handled adequately so that if not, corrective action can be taken.
  - c. Implements, in part, recommendation 2.D. of the 90-day Safety Review. That recommendation called for developing an enforcement strategy that will maximize utilization of inspector and attorney resources for the greatest safety and efficiency.
  - d. Responds to a recommendation by the General Accounting Office in its report on the FAA's enforcement program, "Weaknesses in Inspection and Enforcement Limit FAA in Identifying and Responding to Risks." GAO recommended that the FAA develop a plan for focusing its resources on violations with the greatest potential impact on aviation safety and security.
3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

## PAGE CONTROL CHART

| Remove Pages | Dated   | Insert Pages | Dated   |
|--------------|---------|--------------|---------|
| 15           | 4/20/94 | 15           | 4/20/94 |
| 16 thru 18   | 4/20/94 | 16 thru 18-2 | 6/16/99 |

  
Jane F. Garvey  
Administrator

**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 27

5/7/99

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

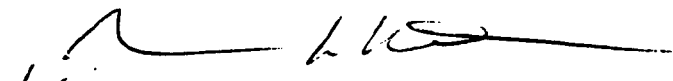
1. PURPOSE. This change withdraws Compliance/Enforcement Bulletin No. 98-1, Streamlined Process for Administrative Action.

2. EXPLANATION OF CHANGES. Because of concerns raised by industry, the Administrator has decided not to issue administrative actions "on-the-spot" as a means of streamlining the process for administrative action. Accordingly, the agency is withdrawing Compliance/Enforcement Bulletin No. 98-1.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, the transmittal should be retained.

PAGE CONTROL CHART

| Remove Pages           | Dated   | Inserted Pages | Dated   |
|------------------------|---------|----------------|---------|
| ix                     | 6/17/91 | ix             | 6/17/91 |
| x                      | 2/10/98 | x              | 5/7/99  |
| Appendix 1             | 2/10/98 | Appendix 1     | 5/7/99  |
| 195 thru 205 (and 206) |         | 195 (and 196)  |         |

  
for Nicholas G. Garaufis  
Chief Counsel

Distribution: A-W-1; A-W(AT/PS/SM)-2; A-W(PP/AS/AM/SF/GC/FS/IA Initiated By: AGC-300  
VR-3; A-XYZ(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3; A-Z(AM/AN/GC)-3;  
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**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 26

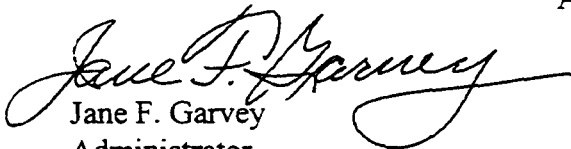
4/14/99

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change contains Appendix 6, Policy on Enforcement of Hazardous Materials Regulations: Penalty Guidelines.
2. EXPLANATION OF CHANGES. This introduces FAA Sanction Guidance for Enforcement of the Department of Transportation Hazardous Materials Regulations (HMR). This change provides a general framework under which FAA agency personnel will exercise prosecutorial discretion in determining the appropriate civil penalties in Hazardous Materials enforcement cases. The Sanction Guidance will:
  - a. aid in analysis of facts and circumstances of individual cases to allow determination of sanctions pursuant to the statutorily defined penalty considerations;
  - b. promote consistency among the regions and headquarters for determining civil penalties for similar violations of the HMR; and
  - c. establish policy for consideration of factors such as "corrective action" and "ability to pay."
3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

PAGE CONTROL CHART

| Remove Pages | Dated | Insert Pages | Dated   |
|--------------|-------|--------------|---------|
|              |       | xi (and xii) | 4/14/99 |
|              |       | Appendix 6   | 4/14/99 |

  
Jane F. Garvey  
Administrator

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**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 25

2/10/98

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE. This change transmits Compliance/Enforcement Bulletin No. 98-1, Streamlined Process for Administrative Action.

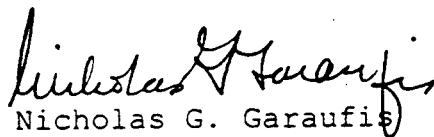
2. EXPLANATION OF CHANGES. Several program offices expressed interest in developing a process to enable inspectors and special agents to issue "on-the-spot" administrative actions to promote field activity and visibility, and facilitate the reporting of alleged violations.

Compliance/Enforcement Bulletin No. 98-1 and FAA Form 2150-7, Administrative Enforcement Action, will enable inspectors and special agents to take administrative action more expeditiously in appropriate cases, oftentimes immediately after an alleged violation is discovered.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, the transmittal should be retained.

## PAGE CONTROL CHART

| Remove Pages | Dated   | Inserted Pages         | Dated   |
|--------------|---------|------------------------|---------|
| ix           | 6/17/91 | ix                     | 6/17/91 |
| x            | 1/29/97 | x                      | 2/10/98 |
|              |         | Appendix 1             | 2/10/98 |
|              |         | 195 thru 205 (and 206) |         |

  
Nicholas G. Garaufis  
Chief Counsel

Distribution: A-W-1;A-W(AT/PS/SM)-2;A-W(PP/AS/M/SF/GC/FS/IA) Initiated By: AGC-300  
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**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 24

1/29/97

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE. This change transmits Compliance/Enforcement Bulletin No. 97-1, Airport Consortia: Enforcement policy for security violations disclosed during initial vulnerability assessments and development of action plans.

2. EXPLANATION OF CHANGES. The Federal Aviation Administration (FAA) is establishing consortia, composed of representatives of relevant aviation and law enforcement entities, at all commercial airports to evaluate security vulnerabilities and develop plans to enhance aviation safety and security.

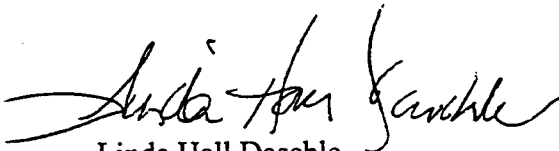
a. Compliance/Enforcement Bulletin No. 97-1 sets forth the agency's enforcement policy for violations of the requirements of parts 107 and 108 of the Federal Aviation Regulations that are disclosed to the FAA during the time period not to exceed 60 days from the date of the first consortium meeting, needed to complete an initial vulnerability assessment at that airport and to prepare and submit to the FAA an action plan.

b. An addendum regarding the FAA's interim enforcement policy after submission of an action plan is also included.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

**PAGE CONTROL CHART**

| Remove Pages | Dated   | Inserted Pages         | Dated   |
|--------------|---------|------------------------|---------|
| ix           | 6/17/91 | ix                     | 6/17/91 |
| x            | 12/6/95 | x                      | 1/29/97 |
|              |         | Appendix 1             |         |
|              |         | 191 thru 193 (and 194) | 1/29/97 |



Linda Hall Daschle  
Acting Administrator



**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 23

10/30/96

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

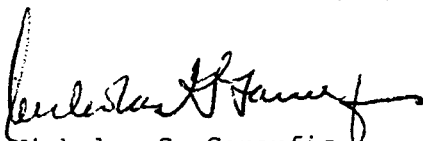
1. PURPOSE. This change transmits corrected pages from Figure 12-9, Figure 12-19, Figure 12-20, and Figure 12-26 of Chapter 12, LEGAL ENFORCEMENT ACTION.

2. EXPLANATION OF CHANGES. Section 13.15 of Title 14, Code of Federal Regulations, allows an alleged violator 30 days from the date of receipt to respond to a civil penalty letter. The corrected page from Figure 12-9 brings this sample information sheet into conformity with the regulation. The corrected page in Figure 12-19 deletes former paragraph 6, referring to compromise orders as an option available to alleged violators. It also corrects the information provided in renumbered paragraph 6 (formerly paragraph 7) on the availability of judicial review. The corrected page from Figure 12-20 deletes option 6, corresponding to the former Figure 12-19, paragraph 6's reference to compromise orders. The corrected page from Figure 12-26 deletes the reference to 49 CFR Part 821 from the second sentence in the second paragraph inasmuch as the National Transportation Safety Board provides a copy of 49 CFR Part 821 to persons appealing to the Board from FAA orders.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

## PAGE CONTROL CHART

| Remove Pages     | Dated                 | Insert Pages     | Dated    |
|------------------|-----------------------|------------------|----------|
| vii thru viii    | 7/16/96               | vii              | 10/30/96 |
|                  |                       | viii             | 7/16/96  |
| 184-1 thru 184-2 | 7/16/96               | 184-1            | 10/30/96 |
|                  |                       | 184-2            | 7/16/96  |
| 203-3 thru 203-5 | 7/16/96               | 203-3 thru 203-4 | 10/30/96 |
| 204-1 thru 204-3 | 7/16/96               | 204-1            | 7/16/96  |
|                  |                       | 204-2 thru 204-3 | 10/30/96 |
| 212-1 thru 212-2 | 12/14/88 &<br>7/16/96 | 212-1            | 12/14/88 |
|                  |                       | 212-2            | 10/30/96 |



Nicholas G. Garaufis  
Chief Counsel

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A-FAS/FAC/FCS-0; A-FAF/FAT/FIA-0(LTD); ZFS-325

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 22

7/16/96

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE. This change transmits revised paragraph 1207 of Chapter 12, LEGAL ENFORCEMENT ACTION, and related sample documents.
2. EXPLANATION OF CHANGES. This change revises the policy guidance on informal conference procedures. The revised paragraph authorizes FAA attorneys to conduct informal conferences by telephone or in-person at selected locations. It also permits FAA attorneys to exercise discretion to conduct informal conferences at field locations when, because of unusual circumstances, the public interest is better served by doing so, or when the informal conference can be scheduled to coincide with other previously scheduled business. These changes are expected to result in better use of agency resources while providing alleged violators with a meaningful opportunity to be heard before the FAA decides whether to take further action on an alleged violation.
3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

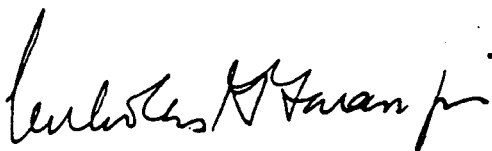
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|--------------|----------|------------------------------|----------|
| v thru viii  | 12/14/88 | v                            | 12/14/88 |
|              |          | vi thru viii                 | 7/16/96  |
| 156 thru 159 | 12/14/88 | 156-1 (and 156-2)            | 12/14/88 |
|              |          | 157                          | 12/14/88 |
|              |          | 158-1 thru 158-3             | 7/16/96  |
|              |          | 158-4 (and 158-5)            | 12/14/88 |
|              |          | 159-1 (and 159-2)            | 12/14/88 |
| 172 thru 175 | 12/14/88 | 172-1 (and 172-2)            | 7/16/96  |
|              |          | 173 thru 175-2               | 7/16/96  |
| 184 thru 187 | 12/14/88 | 184-1 thru 184-5 (and 184-6) | 7/16/96  |
|              |          | 185 and 186                  | 7/16/96  |
|              |          | 187-1 (and 187-2)            | 12/14/88 |
| 190 thru 195 | 12/14/88 | 190-1 (and 190-2)            | 12/14/88 |
|              |          | 191-1 thru 194-2 (and 194-3) | 7/16/96  |
|              |          | 195-1 (and 195-2)            | 12/14/88 |

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VS-3;A-XYZ;A-X(AT/AF/CS)-2;A-X(AS/AM/GC/FS)-3;A-Y(AM/AR/GC)-3;A-Z(AM/AN/GC-3;  
A-FAC/FAC/FCS-0;A-FAF/FAT/FIA-0(LTD);ZFS-325

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| 200 thru 205 | 12/14/88 | 200-1 (and 200-2) | 12/14/88 |
|              |          | 201 thru 204-3    | 7/16/96  |
|              |          | 205-1 (and 205-2) | 12/14/88 |
| 212          | 12/14/88 | 212-1             | 12/14/88 |
|              |          | 212-2 thru 212-15 | 7/16/96  |



Nicholas G. Garaufis  
Chief Counsel

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 21

4/2/96

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. **PURPOSE.** This change transmits revised pages to Appendix 4, Sanction Guidance Table.
2. **EXPLANATION OF CHANGES.** This change clarifies the guidance to FAA personnel on the imposition of sanctions for security violations by individuals. This change:
  - a. Reflects a substitution of nominal sanction amounts in place of the term "administrative action," which created ambiguity by appearing in the sanction guidance table.
  - b. Reorganizes certain passenger firearm violations by removing any distinction between a loaded firearm and an unloaded firearm with ammunition accessible.
  - c. Clarifies the guidance to provide that civil penalties also may be sought for violations warranting criminal sanctions, when appropriate. The table should be consulted only after determining the need for legal enforcement action.
  - d. Does not create any new prohibitions on the use of administrative actions that do not already exist under paragraph 205 of this order. Administrative action still should be taken in appropriate cases provided the elements in paragraph 205 are present.
3. **DISPOSITION OF TRANSMITTAL.** After filing attached pages, this transmittal should be retained.

**PAGE CONTROL CHART**

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|-----------------|----------|---------------|--------|
| Appendix 4      |          | Appendix 4    |        |
| 20 through 21-3 | 12/18/92 | 20-1 and 20-2 | 4/2/96 |
|                 |          | 21-1 and 21-2 | 4/2/96 |

David R. Hinson  
Administrator

Note: As Order 2150.3A CHG 20 will be printed at a later date,  
CHG 21 should be filed in appendix 4.

Distribution. A-W-1;A-W(AT/PS/SM)-2;A-W(PP/AS/M/SF/GC/FS/IA  
VS-3;A-XYZ;A-X(AT/AF/CS)-2;A-X(AS/AM/GC/FS)-3;A-Y(AM/AR/GC)-3;A-Z(AM/AN/GC)-3;  
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Initiated By: AGC-320

CHG 20 WILL BE PRINTED AT A LATER DATE

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 19

11/28/94

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE: This change transmits Compliance and Enforcement Bulletin No. 94-1, Streamlined Enforcement Test and Evaluation Program.


2. EXPLANATION OF CHANGES: This change transmits Compliance and Enforcement Bulletin No. 94-1, which sets forth implementing guidance for the Federal Aviation Administration's Streamlined Enforcement Test and Evaluation Program, which was recommended by the Vice President's National Performance Review. This program emphasizes shorter timeframes for processing certain civil penalty cases involving individuals presenting deadly or dangerous weapons for screening at airport checkpoints or in checked baggage ("weapons cases").

The program will be tested at two FAA regions--Great Lakes and Southwest--for a period of 1 year beginning December 1, 1994.

3. DISPOSITION OF TRANSMITTAL: After filing the attached pages, this transmittal should be retained.

## PAGE CONTROL CHART

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|--------------|---------|--------------|----------|
| ix           | 6/17/91 | ix           | 6/17/91  |
| x            | 2/4/93  | x            | 11/28/94 |
|              |         | 157 thru 181 | 11/28/94 |

David R. Hinson  
Administrator

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VS-3;A-XYZ;A-X(AT/AF/CS)-2;A-X(AS/AM/GC/FS)-3;A-Y(AM/AR/GC)-3;A-Z(AM/AN/GC)-3;  
A-FAS/FAC/FCS-0;A-FAF/FAT/FIA-0(LTD);ZFS-325

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 18

4/20/94

## SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits revised Chapter 2, Compliance and Enforcement Policy and Objectives.
2. EXPLANATION OF CHANGES. This change retitles Chapter 2, Enforcement Objectives and Policy, as Compliance and Enforcement Policy and Objectives. The revised chapter emphasizes voluntary compliance and an increased flexibility in the exercise of discretion and judgment by investigating personnel to choose enforcement remedies that would best promote future regulatory compliance. The revision includes new criteria for determining when administrative action may be taken and an expanded discussion of the various enforcement remedies available to the FAA to promote compliance.
3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

## PAGE CONTROL CHART

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|----------------------|----------|--------------|----------|
| i                    | 12/14/88 | i            | 12/14/88 |
| ii                   | 12/14/88 | ii           | 04/20/94 |
| 11 thru 18           | 12/14/88 | 11 thru 34-1 |          |
| 19 thru 22-1         | 2/21/92  | (and 34-2)   | 04/20/94 |
| 23 thru 30 (thru 34) | 12/14/88 |              |          |

  
David R. Hinson  
Administrator

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**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 17

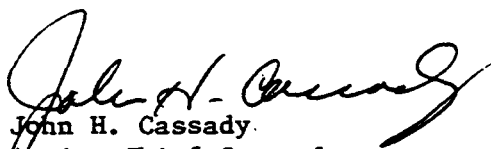
2/4/93

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits Compliance/Enforcement Bulletin No. 93-1 that pertains to the policy and procedures for the collection of administratively assessed civil penalties. The guidance contained in this bulletin supersedes paragraph m. and figures 6 and 11 of Compliance/Enforcement Bulletin No. 90-10.
2. EXPLANATION OF CHANGES. This change provides new guidance and procedures to be followed by Federal Aviation Administration (FAA) personnel for the collection of administratively assessed civil penalties. In effect, the new procedures shift primary responsibility for the administrative collection of civil penalties from the Assistant Chief Counsel's offices to the FAA accounting offices. This change also amends sample enforcement documents to reflect language required by the Federal Debt Collection Act and the Federal Claims Collection Act, and implementing regulations, and the Federal Claims Collection Standards. The new guidance also reflects changes brought about by the FAA Civil Penalty Administrative Assessment Act of 1992.
3. DISTRIBUTION OF TRANSMITTAL. After filing attached pages, this transmittal should be retained.

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|--------------|---------|--------------|---------|
| ix           | 6/17/91 | ix           | 6/17/91 |
| x            | 7/21/92 | x            | 2/4/93  |
|              |         | Appendix 1   |         |
|              |         | 121 thru 155 | 2/4/93  |



John H. Cassady  
Acting Chief Counsel

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**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 16

12/18/92

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits revised pages to Appendix 4, Sanction Guidance Table.
2. EXPLANATION OF CHANGES. This change provides new guidance to FAA personnel on the imposition of sanctions for security violations by individuals. It reflects the FAA's new policy of allowing administrative action to be taken in non-aggravated cases when such action will constitute an adequate deterrent, but retaining higher sanction amounts for those cases where there are aggravating circumstances and punitive action is required.
3. DISTRIBUTION OF TRANSMITTAL. After filing attached pages, this transmittal should be retained.

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|-----------------------------|----------|----------------------------------|----------|
| Appendix 4<br>Pages 20 & 21 | 12/14/88 | Appendix 4<br>Pages 20 thru 21-3 | 12/18/92 |

  
Thomas C. Richards  
Administrator

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A-FAS/FAC/FSS/FCS-0-(All);A-FAF/FAT/FIA-0(Ltd);ZFS325

**CHANGE****DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

2150.3A CHG 15

9/1/92

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE. This change amends Chapter 5, paragraph 50l by deleting 50lf.
2. EXPLANATION OF CHANGES. Paragraph 50lf requires determination of the identity of a military pilot who violates the Federal Aviation Regulations when an investigation reveals that the pilot is a holder of an FAA certificate and there is reason to question the qualification of the alleged violator. The paragraph has been misinterpreted in the past as requiring identification of military pilots in all circumstances. Deletion of this section has no significant effect on enforcement of regulations because if the military pilot holds an FAA certificate and the investigation reveals a reason to question the qualifications of the alleged violator, paragraph 50le requires a full investigation to be conducted in accordance with Chapter 4 and 9 of this order. Identifying an alleged violator is an integral part of conducting a full investigation under Chapter 4.
3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, the transmittal should be retained.

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|--------------|----------|--------------|--------|
| 70 and 71    | 12/14/88 | 70 and 71    | 9/1/92 |



Kenneth P. Quinn  
Chief Counsel

**Distribution:** A-W-1;A-2(AT/PS/SM)-2:A-2(PP/AS/AM/SF/GC/FS/IA/ Initiated By: AGC-260  
VS-3;A-XYZ-1;A-X(AT/AF/CS)-2;A-X(AS/AM/GC/FS)-3;A-Y(AM/AR/GC)-3;A-Z(AM/AN/GC)-3;  
A-FAS/FAC/FSS/FCS-0-(All);A-FAF/FAT/FIA-0(LTD);ZFS325

**CHANGE**

**DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

2150.3A CHG 14

7/29/92

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE: This change transmits revised pages to Appendix 1, Compliance/ Enforcement Bulletin 90-8.
2. EXPLANATION OF CHANGES: This change provides new guidance to FAA personnel on the administration of the FAA's corrective action through remedial training program. It appears that some general aviation airmen may be under the impression that an admission of violation is a condition for participation in this program. The new guidance makes it clear that while an airman must cooperate with the FAA during the investigation, an admission is not required and that the letter of correction that follows successful completion of the training and closes out the incident constitutes neither an admission nor an adjudication of a violation.
3. DISTRIBUTION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

**PAGE CONTROL CHART**

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| 47 thru 54   | 5/18/90 | 47 thru 54   | 7/29/92 |



Kenneth P. Quinn  
Chief Counsel

**Distribution:** A-W-1; A-W(AT/PS/SM)-2; A-W(PP/AS/AM/SF/GC/FS/IA/ VS-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3 A-Z(AM/AN/GC)-3; A-FAS/FAC/FSS/FCS-0 (All); A-FAF/FAT/FIA-0(LTD); ZFS325 **Initiated By:** AGC-260

**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 13


7/21/92

SUBJ COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits new pages to Appendix 1, Compliance/Enforcement Bulletin 92-3.
2. EXPLANATION OF CHANGES. This change transmits Compliance/Enforcement Bulletin 92-3, guidance on enforcement action in cases involving detection of simulated weapons during Federal Aviation Administration screening evaluations. It provides new policies for enforcement actions on the failure of air carriers to detect simulated weapons, explosive devices, and other test objects during screening evaluations conducted by FAA Civil Aviation Security special agents.
3. DISTRIBUTION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

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|--------------|---------|--------------|---------|
| ix and x     | 6/17/91 | ix           | 6/17/91 |
|              |         | x            | 7/21/92 |
|              |         | Appendix 1   |         |
|              |         | 115 thru 119 | 7/21/92 |

  
Thomas C. Richards  
Administrator

Distribution: A-W-1; A-2(AT/PS/SM)-2; A-2(PP/AS/AM/SF/GC/FS/IA/ Initiated By: AGC-320  
VS-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3;  
A-Z(AM/AN/GC)-3; A-FAS/FAC/FSS/FCS-0)(All); A-FAF/FAT/FIA-0(LTD); ZFS325

**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 12

3/20/92

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

**PURPOSE:** This change transmits Compliance/Enforcement Bulletin No. 92-2, which provides implementing guidance for a reporting and correction policy for holders of production approvals.

**PAGE CONTROL CHART**

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|--------------|---------|--------------|---------|
| ix and x     | 6/17/91 | ix           | 6/17/91 |
|              |         | x            | 3/20/92 |
|              |         | Appendix 1   |         |
|              |         | 109 - 113    | 3/20/92 |



Barry Lambert Harris  
Acting Administrator

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**Initiated By:** AGC-260

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 11

2/21/92

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits revised pages to Chapter 2, Enforcement Objectives and Policy, and to Chapter 12, Legal Enforcement Action.

2. EXPLANATION OF CHANGES. This change provides guidance to FAA personnel on when revocation or suspension action should be taken on an emergency basis. Generally when it is determined that the certificate holder lacks qualifications and the certificate holder is reasonably able to exercise the privileges of the certificate, emergency action to revoke the certificate should be taken in the interest of safety. Similarly, when there is a reasonable basis to question the certificate holder's qualifications and the certificate holder is reasonably able to exercise the privileges of the certificate, emergency action to suspend the certificate generally should be taken in the interest of safety.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, the transmittal should be retained.

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|--------------|----------|-------------------------|----------|
| 19 thru 22   | 12/14/88 | 19 thru 22-1 (and 22-2) | 2/21/92  |
| 144 and 145  | 12/14/88 | 144 and 145             | 2/21/92  |
|              |          | 145-1 (and 145-2)       | 12/14/88 |



Barry Lambert Harris  
Acting Administrator

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A-Z(AM/AN/GC)-3; A-FAS/FAC/FSS/FCS-O (All); A-FAF/FAT/FIA-O(LTD); ZFS325

Initiated By: AGC-260

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 10


1/16/92

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits new pages to Appendix 1, Compliance/Enforcement Bulletin.
2. EXPLANATION OF CHANGES. This change transmits Compliance/Enforcement Bulletin No. 92-1, Proportional Civil Penalties. These guidelines are a means of placing a relatively equivalent deterrent effect on each air carrier that violates the same Federal Aviation Regulation, by considering the size of the carrier in determining an appropriate civil penalty amount. This change is made in response to a recommendation from the General Aviation System Safety and Efficiency Review.
3. DISTRIBUTION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

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|--------------|---------|------------------------|---------|
| ix and x     | 6/17/91 | ix                     | 6/17/91 |
|              |         | x                      | 1/16/92 |
|              |         | Appendix 1             |         |
|              |         | 103 thru 107 (and 108) | 1/16/92 |

  
Barry Lambert Harris  
Acting Administrator

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A-Z(AM/AN/GC)-3: A-FAS/FAC/FFS/FCS-O (A!!), A-FAF/FAT/FIA-O(LTD), ZFS325

Initiated By: AGC-260

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 9

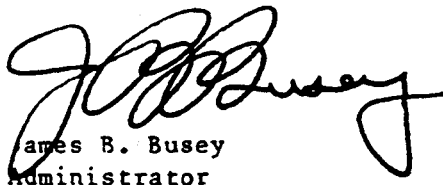
11/25/91

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

1. PURPOSE. This change transmits revised pages to Chapter 12, Legal Enforcement Action.
2. BACKGROUND. Chapter 2, Enforcement Objective and Policy, describes how the appropriate enforcement action is to be determined. An important objective in conducting the enforcement program is to achieve uniformity of action throughout FAA. To accomplish this, it sometimes is important for the Washington headquarters to quickly be aware of actions taken by the regions. For these reasons, in some cases coordination with the Washington headquarters is required before initiating an enforcement action, and in other cases information must be sent to the Washington headquarters at the same time the action is taken.
3. EXPLANATION OF CHANGES. This change amends the requirement for coordinating significant enforcement actions with the Washington headquarters. The determination of the type of legal enforcement action and sanction is the joint responsibility of the appropriate regional division and legal counsel. The policies, procedures, and guidelines set forth in this order shall be adhered to by all personnel.
4. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

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| 138 and 139  | 12/14/88 | 138-1 thru 138-4 (and 138-6)<br>138-5 (and 138-6) | 11/25/91<br>12/14/88 |



James B. Busey  
Administrator

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IA/VS)-3; A-XYZ-1; A-Z(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3;  
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U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 8

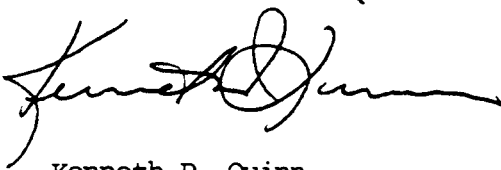
6/17/91

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletin No. 91-1 regarding enforcement action in cases involving drug convictions which do not involve falsification.

PAGE CONTROL CHART

| Remove Pages | Dated    | Insert Pages                          | Dated   |
|--------------|----------|---------------------------------------|---------|
| ix - x       | 11/26/90 | ix - x<br>Appendix 1<br>Pages 100-101 | 6/17/91 |



Kenneth P. Quinn  
Chief Counsel

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IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/GC)-3  
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U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 7

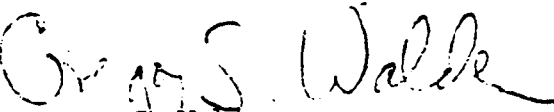
11/26/90

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletin No. 90-11 implements the System Safety and Efficiency Review (SSER) recommendations relating to informal communication between inspectors and attorneys and special emphasis programs.

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| Remove Pages | Dated   | Insert Pages              | Dated    |
|--------------|---------|---------------------------|----------|
| ix           | 8/17/90 | ix - x                    | 11/26/90 |
|              |         | Appendix 1<br>Pages 96-99 | 11/26/90 |

  
Gregory S. Walden  
Chief Counsel

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**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 6

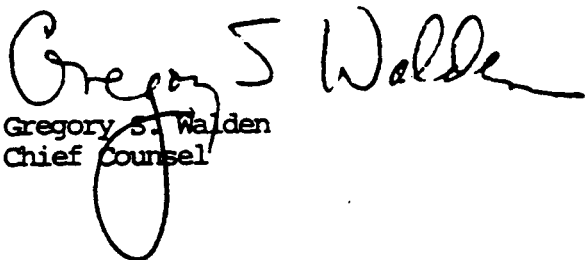
8/17/90

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletin No. 90-10 which pertains to civil penalty assessment authority. The rules of practice implementing the FAA's authority to assess civil penalties were revised. This change also amends the data element in Field 22 to add code 29, ACTEP/Voluntary Disclosure, to Appendix 3.

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|--------------|----------|--------------|---------|
| ix           | 6/26/90  | ix           | 8/17/90 |
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|              |          | 63-95        | 8/17/90 |
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| 3-4          | 10/20/89 | 3-4          |         |

  
Gregory S. Walden  
Chief Counsel

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A-Z(AM/AN/GC)-3; A-FAS/FAC/FFS/FCS-0(ALL); A-FAF/FAT/FIA-0(LTD); ZFS325  
Initiated By: AGC-200

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U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 5

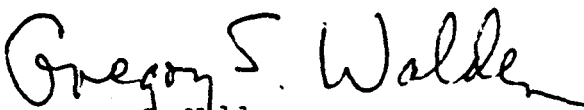
6/26/90

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletin No. 90-9 which pertains to SSER recommendations relating to analysis of a violation; determination of appropriate sanction; and coordination within the Office of the Chief Counsel.

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|-------------|---------|--------------|---------|
| ix          | 5/18/90 | ix           | 6/26/90 |
|             |         | Appendix 1   |         |
|             |         | Pages 59-62  | 6/26/90 |

  
Gregory S. Walden  
Chief Counsel

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IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/AY/GC)-3;  
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U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 4

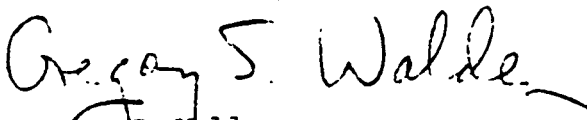
3/18/90

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletins Nos. 90-5, 90-6, 90-7, and 90-8. No. 90-5 pertains to the policy and procedures for suspected violations of the FAA's alcohol- and drug-related prohibitions related to operation of aircraft. No. 90-6 pertains to reporting and correction policy and implementing guidance. No. 90-7 describes the revised Enforcement Investigative Report (EIR) format in Chapter 9A to be used in all Civil Aviation Security cases and does not change the guidance set forth in the existing Chapter 9 for the preparation of EIRs by any office other than Civil Aviation Security. No. 90-8 describes the agency's program of affording certificated pilot and non-pilot airmen who violate certain provisions of the Federal Aviation Regulations (FAR) remedial training in lieu of legal enforcement action.

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| ix           | 3/5/90 | ix           | 5/18/90 |
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|              |        | Pages 17-58  | 5/18/90 |

  
Gregory S. Walden  
Chief Counsel

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IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/AY/GC)-3;  
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**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 3


3/5/90

**SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM**

**PURPOSE:** This change transmits Compliance/Enforcement Bulletins No. 90-3 and 90-4. Compliance/Enforcement Bulletin No. 90-3 pertains to unauthorized operations within Terminal Control Areas (TCA's). Compliance/Enforcement Bulletin No. 90-4 pertains to Coordination of enforcement actions against airmen (except air carrier personnel) in nonsignificant cases.

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| ix           | 2/16/90 | ix<br>Appendix 1<br>Pages 14-16 | 3/5/90 |

  
Gregory S. Walden  
Chief Counsel

**Distribution:** A-W-1; A-W(AT/PS/SM)-2; A-W(PP/AS/AM/SF/GC/FS/ IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/AY/GC)-3; A-Z(AM/AN/GC-3; A-FAS/FAC/FFS/FCS-0(A11); A-FAF/FAT/FIA-0(LTD); ZFS325

**CHANGE**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 2


2/16/90

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change transmits Compliance/Enforcement Bulletins No. 90-1 and 90-2. Compliance/Enforcement Bulletin No. 90-1 pertains to unauthorized operations within newly established Terminal Control Areas (TCA's). Compliance/Enforcement Bulletin No. 90-2 pertains to enforcement action for cases referred by the Inspector General of the Department of Transportation involving drug convictions and falsification of applications for airman medical certificates regarding drug- and alcohol-related convictions ("IG Match" cases), and other similar cases.

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| ix           | 12/14/88 | ix                       | 2/16/90 |
|              |          | Appendix 1<br>Pages 7-13 | 2/16/90 |

  
Gregory S. Walden  
Chief Counsel

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IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/AY/GC)-3;  
A-Z(AM/AN/GC-3; A-FAS/FAC/FFS/FCS-0(All); A-FAF/FAT/FIA-0(LTD); ZFS325

**CHANGE**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

2150.3A CHG 1

10/20/89

SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

PURPOSE: This change adds the following to Fields 20 and 22, Appendix 3:

28 IG Match  
31 Airman - Alcohol  
32 Airman - Drug  
33 Airman - Falsification  
34 Alcohol/Flight Crew  
35 Drugs/Flight Crew  
36 Falsification/Flight Crew

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Appendix 3

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12/14/88

Appendix 3

Pages 1 thru 4

10/20/89

*for John H. Cassady*  
Gregory S. Walden  
Chief Counsel

Distribution: A-W-1; A-W(AT/PS/SM)-2; A-W(PP/AS/AM/SF/GC/FS/IA/VS)-3; A-XYZ-1; A-X(AT/AF/CS)-2; A-X(AS/AM/GC/FS)-3; A-Y(AM/AR/AY/GC)-3  
A-Z(AM/AN/GC)-3; A-FAS/FAC/FFS/FCS-0(All); A-FAF/FAT/FIA-0(LTD); ZFS325  
Initiated By: AGC-200



## FOREWORD

This order has been prepared to provide compliance and enforcement program and procedural guidance for all agency personnel. The order, which updates and revises material previously contained in Order 2150.3, is designed as a ready reference for use at all levels of the agency in the investigation, reporting, and legal processing of enforcement cases. Any FAA employee involved in the compliance and enforcement program must read and become familiar with applicable provisions of this order.



T. Allan McArtor  
Administrator

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1 \*

## CHAPTER 1. INTRODUCTION

100. PURPOSE. This order describes the authority, responsibilities, policies, guidelines, procedures, objectives, and legal aspects of the Federal Aviation Administration's Compliance and Enforcement Program. It is intended to be an aid in the exercise of discretion of the various FAA elements involved. It is recognized that this handbook does not cover every situation, and there will be cases where deviation from the guidance is warranted. It is expected that FAA personnel will use their judgement and experience in each case to carry out the policies of the FAA.

101. DISTRIBUTION. This order is distributed as follows:

a. To the executive director level in Washington, D.C., the regional administrator level, and center director level.

b. To the branch level in the offices of the Associate Administrator of Regulation and Certification, the Associate Administrator for Aviation Standards, the Associate Administrator for Airport System development, and the Director of the Office of International Aviation.

c. To the division level in the regional Air Traffic and Airway Facilities Divisions.

d. To the branch level in the regional Airports, Aviation Medical, Civil Aviation Security, and Flight Standards Divisions.

e. To the branch level in the Civil Aeromedical Institute, Airmen and Aircraft Registry, FAA Academy, and Investigations and Security Divisions at the Aeronautical Center.

f. To the branch level in the Medical Staff, Aviation Facilities Division, and Center Counsel at the FAA Technical Center.

g. A maximum distribution to all Airports Field Offices, Flight Standards Field Offices, and Civil Aviation Security Field Offices, and the offices of the Assistant Chief Counsel for regions and centers. \_\_

h. A limited distribution to all Airway Facilities Field Offices, Air Traffic Field Offices, and International Aviation Field Offices.

102. CANCELLATIONS. Order 2150.3, Compliance and Enforcement Program, May 16, 1980, and Order 1000.9E (Enforcement Policy), dated April 4, 1988, are cancelled.

103. EXPLANATION OF CHANGES. This Order substantially edits Order 2150.3. The following major changes are included in the revised Order:

a. Added policy on choosing the type and amount of sanction.

- b. Incorporated policies previously issued by memoranda and in Order 1009.E, Enforcement Policy.
- c. Removed prior policy which is no longer current agency policy.
- d. Revised in light of straightlining of FAA, including straightlining of FAA's legal functions.
- e. Added guidance for cases involving submission to alcohol testing.
- f. Added guidance for inspectors in preparing an enforcement investigative report.
- g. Incorporated requirements where counsel for the regions and centers must consult the Chief Counsel's office on matters of enforcement.
- h. Added guidance on handling enforcement actions under the Civil Penalty Demonstration Program.
- i. Added guidance on publicizing enforcement actions.
- j. Incorporated policy on providing immunity from enforcement action to persons who provide information about violations.
- k. Added guidance on FAA employee liability.

104. FORMS AND REPORTS. The following forms are stocked in the FAA Depot and are available through normal supply channels:

- a. FAA Form 2150-2, Violation Report Data - Certificate Actions, Reprimands, Referrals (7-79), unit of issue: SE (4), NSN: 0052-00-072-2001. This form, or FAA Forms 2150-3 or 2150-4, paragraphs b and c below, will be prepared, as appropriate, by legal counsel to record final action on all legal enforcement cases.
- b. FAA Form 2150-3, Violation Report Data - Civil Penalties, Criminal, Miscellaneous (4-74), unit of issue: SE (4), NSN: 0052-00-606-3001.
- c. FAA Form 2150-4, Violation Report Data - Hazardous Materials (7-78), unit of issue: SE (4), NSN: 0052-00-871-0000.
- d. FAA Form 2150-5, Enforcement Investigative Report, unit of issue: Sheet, NSN: 0052-00-875-8000. The form will be used by all elements of the FAA for the reporting of enforcement investigations. An illustrated sample of FAA Form 2150-5 is shown in Figure 9-1.
- e. FAA Form 2150-6, Enforcement Investigative Report Log, unit of issue: Pad, NSN: 0052-00-876-1000. The form shall be maintained by each responsible regional division and distributed in accordance with instructions in paragraph 1402.

f. FAA Form 5280-6, Letter of Correction, unit of issue: 5-page set, NSN: 0052-00-881-2000. This form is used by FAA airport certification elements to report and obtain correction of violations of FAR Part 139.

105. CHANGES TO THIS ORDER. Changes to this order may be issued by the Chief Counsel except that changes to Chapter 1, Introduction, Chapter 2, Enforcement Objectives and Policy, and Chapter 3, Enforcement Responsibilities, which involve policy, a delegation of authority, or an assignment of responsibility, are reserved for the Administrator. This authority may not be redelegated.

a. Any FAA employee, field office, or region may submit proposed changes to the Assistant Chief Counsel for a region, center, or the Regulations and Enforcement Division. Recommended changes should be evaluated by the Assistant Chief Counsel. If counsel concurs with all or part of the recommended changes, they shall be submitted in letter form with suggested wording to the Chief Counsel (AGC-1). If counsel does not concur, the field recommendations shall be forwarded, in all cases, along with a letter stating counsel's position.

b. AGC-1 shall refer the recommendations to appropriate headquarters offices for review, development of a recommended revision, or nonconcurrence. Any recommended revision shall be coordinated by AGC-1 with all other offices that have enforcement responsibility.

c. Following coordination, the Office of the Chief Counsel shall publish the revision and be responsible for the maintenance of the master document.

d. Revisions requiring immediate action shall be published as Compliance/Enforcement Bulletins (see paragraph 106).

106. SUPPLEMENTAL ENFORCEMENT INSTRUCTIONS. To assure uniformity in policy and instructions, headquarters offices and the regions shall, before issuance, provide AGC-1 with two copies of all enforcement order supplements or instructions for headquarters coordination and concurrence.

107. COMPLIANCE/ENFORCEMENT BULLETINS. Short term or urgent directives to field personnel may be issued, pursuant to paragraph 104d, in the form of Compliance/Enforcement Bulletins, which shall be published under Appendix 1, Compliance/Enforcement Bulletins. Bulletins shall take precedence over instructions in this order when it is so stated and cites the sections involved. Bulletins may also serve to inform field and regional personnel of enforcement activities requiring emphasis, or provide improved guidance to assure national uniformity.

108. DEFINITIONS. As used in this Order, the following definitions and abbreviations are applicable unless the context clearly requires otherwise:

"AGC-1" means the Chief Counsel of the Federal Aviation Administration.

"ASAS" means Aviation Safety Analysis System (see paragraph 1401).

"ASRP" means Aviation Safety Report Program.

"Assistant Chief Counsel" means an Assistant Chief Counsel for a Region, a Center, or the Regulations and Enforcement Division.

"EIR" means an Enforcement Investigative Report.

"EIS" means Enforcement Information System.

"FA Act" means the Federal Aviation Act of 1958, as amended, 49 U.S.C. 1301 et seq.

"HMT Act" means the Hazardous Materials Transportation Act.

"NTSB" means the National Transportation Safety Board.

109.-199. RESERVED.